

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW
8110 GATEHOUSE ROAD
SUITE 500 EAST
FALLS CHURCH, VA 22042-1210
USA

(703) 205-8000

FAX (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: http://www.bskb.com

CALIFORNIA OFFICE
COSTA MESA, CALIFORNIA

JAMES T. ELLER, JR.
SCOTT L. LOWE
D. RICHARD ANDERSON
PAUL C. LEWIS
MARK W. MILSTEAD*
RICHARD J. GALLAGHER
JAYNE M. SAYDAH*
MARYANNE ARMSTRONG
KECIA J. REYNOLDS
ROBERT L. SCOTT, II
KALPANA REDDY
LARRY J. HUME

REG. PATENT AGENTS
FREDERICK R. HANDREX
MAKI HATSUMI
CRAIG A. MCROBBIE
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
MATTHEW J. LATTIG
TIMOTHY R. WYCKOFF
KRISTI L. RUPERT, PH.D.
HAYR A. SAYADIAN, PH.D.
MATTHEW T. SHANLEY
JASON W. RHODES
CHRISTINA F. ANNICK
SUSAN W. GORMAN, PH.D.
DAVID J. CHO

ELLIOT C. BIRCH
ROBERT D. C. STEWART
PHILIP A. KOLASCH
S. M. SLATTERY
WARD L. SWEENEY*
JAMES K. MUTTER
CHARLES S. GORENSTEIN
LEONARD R. SVENSSON
TERRY L. CLARK
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
DONALD J. DALEY
JOHN W. BAILEY
JOHN A. CASTELLANO
GARY D. YACURA
THOMAS S. AUCHTERLONIE
MARK J. NUELLE, PH.D.

OF COUNSEL
HERBERT M. BIRCH (1905-1996)
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT
JAMES W. HELLWEGE

*ADMITTED TO A BAR OTHER THAN VA

Date: September 27, 2001

Docket No.: 0179-0175P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/424,537 filed on November 24,
1999, the entire contents of which are hereby incorporated by
reference,
by

Michael COLLASIUS; and Oliver-Guido VENSCHOTT

for

DEVICE FOR SELECTIVELY FILTERING UNDER REDUCED PRESSURE AND FOR
VACUUM DRYING SAMPLE LIQUIDS OR DROPS OF SAMPLE LIQUIDS

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

		LARGE ENTITY	SMALL ENTITY
BASIC FEE		\$710.00	\$355.00
NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	5-20 = 0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1-3 = 0	x 80 = \$0.00	x 40 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		+ \$270.00	+ \$135.00
TOTAL		\$710.00	\$0.00

3. ☒ A check in the amount of \$710.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/424,537, filed on November 24, 1999, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/424,537, filed on November 24, 1999 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/424,537 is the national phase of PCT International Application No. PCT/EP98/03130 filed on May 27, 1998 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. 197 22 021.5 filed in Germany on May 27, 1997 under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are four (4) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/424,537 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Qiagen GmbH.
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.
- 10b. ☒ Priority of International Appln. PCT/EP98/03130 filed on May 27, 1998 under the Patent Cooperation Treaty and German Application No. 197 22 021.5 filed in Germany on May 27, 1997 under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000


or
Customer No. 2292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/424,537 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:

Docket No. 0179-0175P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  _____
Joseph A. Kolasch, #22,463

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JAK/clb
0179-0175P

Attachments

(Rev. 01/23/01)